

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

12/29/00  
JC929 09/752092  
U.S. PTO

APPLICANT(S):	STACY S. COOK ALBERT D. EDGAR GORDON D. FORD	§	EXAMINER:	TBA
APPL./SER. NO.:	TBA	§	GROUP ART UNIT:	TBA
FILED:	HEREWITH	§		
TITLE:	AUTOMATIC SURFACE DEVIATION DETECTOR AND METHOD OF USE	§	ATTY/DCKT NO.:	06810/01201 ASF 99297-PA

**BOX NEW APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER**

Dear Sir:

Enclosed for filing in the above-captioned application are the following documents:

- (1) Utility Patent Application Transmittal;
- (2) Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
- (3) Fee Transmittal for FY 2001;
- (4) Patent Application;
- (5) Certificate of Mailing Under 37 C.F.R. 1.10;
- (6) Drawings (12 Sheets);
- (7) Declaration and Power of Attorney;
- (8) Assignment (3 pages);
- (9) Recordation For Cover Sheet For Assignment;
- (10) Information Disclosure Statement;
- (11) Form PTO 1449 (1 reference);
- (12) Application Data Sheet; and
- (13) Postcard.

Applicant believes the fee required to file this application and the fee for the Assignment Recordation Cover Sheet is \$920.00. The Commissioner is hereby authorized to charge the Deposit Account No. 12-1322 of Locke Liddell & Sapp LLP under Order No. 06810/01201 for these fees and any additional fees and/or credits during the entire pendency of this application.

jc986 U.S. PTO  
12/29/00

01-02-01 A

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	06810/01201/ASF99297-PA
First Inventor	Stacy S. Cook
Title	Automatic Surface Deviation Detector And Method of Use
Express Mail Label No.	EL179924183US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 28]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 12 ]
5. Oath or Declaration [ Total Pages 3 ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
    - i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney (when there is an assignee)
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations 1
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)
16.  Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_

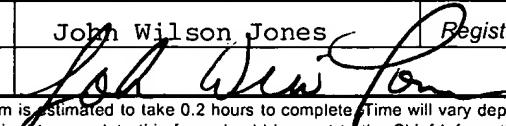
Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	(Insert Bar Code Label Here)		<input type="checkbox"/> or <input type="checkbox"/> Correspondence address below
Name	022904		
Address	PATENT TRADEMARK OFFICE		
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type) John Wilson Jones Registration No. (Attorney/Agent) 31,380

Signature  Date 12/29/2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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# FEE TRANSMITTAL

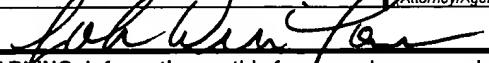
## for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 920.00)

## Complete if Known

Application Number	TBA
Filing Date	December 29, 2000
First Named Inventor	Stacy S. Cook
Examiner Name	TBA
Group Art Unit	TBA
Attorney Docket No.	06810/01201/ASF99297-PA

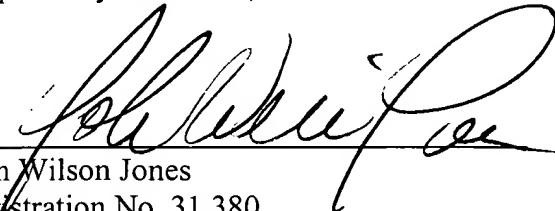
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<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <b>12-1322</b></p> <p>Deposit Account Name <b>Locke Liddell &amp; Sapp</b></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th colspan="2">Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for ex parte reexamination</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td></tr> <tr><td colspan="4">Other fee (specify) _____</td><td>40.00</td></tr> <tr> <td colspan="4">*or number previously paid, if greater; For Reissues, see above</td> <td>SUBTOTAL (3) (\$ 40.00)</td> </tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description		Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	127	50	227	25	Surcharge - late provisional filing fee or cover sheet	139	130	139	130	Non-English specification	147	2,520	147	2,520	For filing a request for ex parte reexamination	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	115	110	215	55	Extension for reply within first month	116	390	216	195	Extension for reply within second month	117	890	217	445	Extension for reply within third month	118	1,390	218	695	Extension for reply within fourth month	128	1,890	228	945	Extension for reply within fifth month	119	310	219	155	Notice of Appeal	120	310	220	155	Filing a brief in support of an appeal	121	270	221	135	Request for oral hearing	138	1,510	138	1,510	Petition to institute a public use proceeding	140	110	240	55	Petition to revive - unavoidable	141	1,240	241	620	Petition to revive - unintentional	142	1,240	242	620	Utility issue fee (or reissue)	143	440	243	220	Design issue fee	144	600	244	300	Plant issue fee	122	130	122	130	Petitions to the Commissioner	123	50	123	50	Processing fee under 37 CFR 1.17(q)	126	180	126	180	Submission of Information Disclosure Stmt	581	40	581	40	Recording each patent assignment per property (times number of properties)	146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	179	710	279	355	Request for Continued Examination (RCE)	169	900	169	900	Request for expedited examination of a design application	Other fee (specify) _____				40.00	*or number previously paid, if greater; 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Name (Print/Type)	John Wilson Jones	Registration No. Attorney/Agent	31,380	Telephone	713.226.1142																																																																																																																																																													
Signature				Date	12/29/2000																																																																																																																																																													

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A duplicate copy of this transmittal letter is attached for accounting purposes.

Respectfully submitted,

  
John Wilson Jones  
Registration No. 31,380

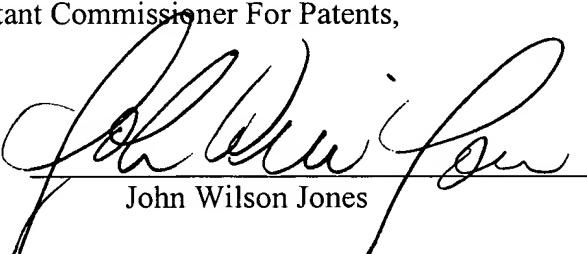
Dated: December 29, 2000

**LOCKE LIDDELL & SAPP LLP**  
600 Travis, Suite 3400  
Houston, Texas 77002-3095  
Telephone No.: (713) 226-1142  
Facsimile No.: (713) 223-3717

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated below, in an envelope as "Express Mail Post Office to Addressee," service under 37 C.F.R. § 1.10, Mailing Label Number EL179924183US, addressed to the Assistant Commissioner For Patents, Washington, D.C. 20231.

DATED: December 29, 2000

  
John Wilson Jones

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor		Stacy S. Cook
Title	Automatic Surface Deviation Detector and Method of Use	
Atty Docket Number		06810/01201/ASF99297-PA

USPTO  
09/752092  
12/29/00

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

12/29/2000

Date



Signature

JOHN WILSON JONES

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**